

American Association of Zoo Veterinarians * American Bird Conservancy * American Lands Alliance
 American Malacological Society * American Rivers * Animal Protection Institute
 Animal Protection of New Mexico * Association of Veterinarians for Animal Rights * AZ Grassroots Media
 Buckeye Forest Council * California Native Plant Society * Center for Biological Diversity
 Center for Environmental Connections * The Center for Environmental Ethics
 Center for Native Ecosystems * Central New Mexico Audubon Society * The Chewonki Foundation
 Colorado Wild * Coalition for Sonoran Desert Protection * Conservation Northwest
 Conservation Science Institute * Defenders of Wildlife * Desert Watch * Earth Action Network * Earthjustice
 Endangered Species Coalition * Environmental Defense * Environmental Defense Center
 Friends of the Earth * The Friends of Herring Creek * Forest Guardians * Great Lakes United
 Great Plains Restoration Council * Gulf Restoration Network * Jumping Frog Research Institute
 Lake Champlain Committee * Madison Audubon Society * Maryland Wildlands Committee
 Maine Audubon * National Audubon Society * Native Plant Conservation Campaign
 National Environmental Trust * National Wildlife Federation * Natural Resources Defense Council
 New Jersey Audubon Society * New York Rivers United * Northcoast Environmental Center
 Northwest Development for Responsible Development * The Ocean Conservancy * Oceana
 Ohio Valley Environmental Coalition * Oregon Natural Desert Association *
 Oregon Natural Resources Council * The Otter Project * Predator Conservation Alliance
 Presbyterians for Restoring Creation * Primate Conservation Inc
 P.L.A.N (Project Land and Neighborhoods) * REP America (Republicans for Environmental Protection)
 Rogue Valley Audubon Society * Save Our Wild Salmon * Seattle Audubon * Sierra Club * Sinapu
 Sky Island Institute * Society for Animal Protection Legislation
 Southern Arizona Coalition for the Environment and Jewish Life
 Southern Maryland Audubon Society * Southern Rockies Ecosystem Project
 Southwestern Biological Institute * U.S. Public Interest Research Group * Union of Concerned Scientists
 The Urban Wildlands Group * West Virginia Environmental Council *
 Western Nebraska Resources Council * Western Resources Advocates * Wild Farm Alliance
 The Wild Utah Project * The Wilderness Society * Wildlands Project *
 The Xerces Society for Invertebrate Conservation *

September 28, 2005

Dear Representative,

On behalf of the undersigned organizations, representing millions of Americans nationwide, we are writing to urge you to oppose H.R. 3824, the Threatened and Endangered Species Recovery Act – legislation that will fundamentally alter and severely weaken the Endangered Species Act.

For over thirty years, the Endangered Species Act has served as a safety net for plants and animals that are on the brink of extinction. By any reasonable measure, the Act has been a remarkable success. Of the 1800 plants and animals under the Act's protection, only nine have been declared extinct, and more than two-thirds of protected species with known scientific trends are moving towards recovery with stable and improving populations.

Unfortunately, the proposed legislation will cut large holes in this safety net and significantly weaken protections for our nation's most valued wildlife and endangered species. Among the many harmful provisions of this legislation, the following will significantly limit our ability to protect threatened and endangered species from extinction:

Eliminates current habitat protections. The legislation eliminates the current critical habitat system and provides no solid alternative that will ensure the protection of habitat needed for species recovery. Instead, the legislation links the process of protecting habitat to recovery plans with a requirement to identify habitat areas of "special value" during the development of these plans. However, the legislation

does not define “areas of special value,” does not include mandatory protections for habitat, and recovery plans are non-regulatory.

Bars protections against hazardous pesticides. The legislation bars all Endangered Species Act provisions that protect threatened and endangered species from the harmful impact of pesticides. The legislation waives all current requirements for the approval of pesticide use during the first 5 years after the legislation’s enactment, and thereafter the Environmental Protection Agency and chemical companies would develop safeguards for endangered species without any consultation with federal wildlife agencies. Pesticides like DDT played a major role in contributing to the decline of the bald eagle and peregrine falcon. It is estimated that pesticides kill more than 67 million birds in the United States every year. The effect on wildlife could be devastating, and humans and fish could be hurt too as pesticides make their way into our nation’s streams and rivers.

Severely weakens the role of science. The legislation allows for political appointees to improperly influence scientific decision-making by allowing the Secretary of Interior to develop a definition of the “best available science.” The Endangered Species Act already requires the U.S. Fish and Wildlife Service to use the most rigorous science available when developing common sense solutions to prevent the extinction of endangered plants and animals. The legislation creates a new set of hurdles that scientists must surmount if they are to list and protect endangered species and their habitat.

Weakens the check-and-balance consultation process that protects threatened and endangered species and habitat from harmful projects. The legislation allows federal agencies and industry groups to avoid the Endangered Species Act’s current set of consultation procedures, which ensure that federal agencies “look before they leap” into projects that may irreparably jeopardize threatened and endangered species. The legislation allows the administration to create unspecified “alternative procedures” for inter-agency consultation, making it highly unlikely that federal agencies will be required to take any actions to protect threatened and endangered species.

Requires taxpayers to pay developers and other special interests not to violate the law. The legislation requires the federal government to use taxpayer dollars to pay developers and other special interests for complying with the Endangered Species Act protections for threatened and endangered species and sets no limits on these payments. By requiring agencies to compensate landowners for the costs of complying with federal endangered species protections, this provision would quickly drain funding used to protect wildlife and the places they live. This also sets a dangerous precedent of paying companies for following other environmental and public health laws.

Establishes unrealistic deadlines for comprehensive scientific review of actions that may harm species. The legislation places endangered species at a greater risk whenever the federal government fails to meet a 180-day deadline for informing developers whether their actions would kill or harm an endangered species. If the government misses the deadline, no matter what the reason, developers are permitted a de facto exemption from the Endangered Species Act at the expense of wildlife.

With the passage of the Endangered Species Act in 1973, Congress pledged our government to ensure the protection of all plants and animals from extinction and to recover endangered species to the point at which protection is no longer required. The proposed legislation, H.R. 3824, will put the future success of the Endangered Species Act at risk by eliminating protections for threatened and endangered species and limiting our ability to save species from extinction.

We strongly encourage you to uphold the integrity and intent of the Endangered Species Act and to oppose H.R. 3824, The Threatened and Endangered Species Recovery Act of 2005.

Thank you for your time and consideration.

Sincerely,

Wilbur B. Amand, VMD
Executive Director
American Association of Zoo Veterinarians

George Fenwick, Ph.D.
President
American Bird Conservancy

Randi Spivak
Executive Director
American Lands Alliance

Kathryn E. Perez, Ph.D.
Conservation Committee Co-Chair
American Malacological Society

Rebecca R. Wodder
President
American Rivers

Michelle Thew
Chief Executive Director
Animal Protection Institute

Elisabeth Jennings
Executive Director
Animal Protection of New Mexico

Teri Barnato
National Director
Association of Veterinarians for Animal Rights

Karel Bott
AZ Grassroots Media

Susan Heitker
Executive Coordinator
Buckeye Forest Council

Carol Witham
President
California Native Plant Society

Kieran Suckling
Policy Director
Center for Biological Diversity

Rob Kulakofsky
Executive Director
Center for Environmental Connections

Quinn Simpson
Director
The Center for Environmental Ethics

Jacob Smith
Executive Director
Center for Native Ecosystems

Jeffrey D. Myers
Conservation Chair
Central New Mexico Audubon Society

W. Donald Hudson, Jr., Ph.D.
President
The Chewonki Foundation

Carolyn Campbell
Executive Director
Coalition for Sonoran Desert Protection

Jeffrey A. Berman
Executive Director
Colorado Wild

Mitch Friedman
Executive Director
Conservation Northwest

John R. Cannon, Ph.D.
Director
Conservation Science Institute

Rodger Schlickeisen
President
Defenders of Wildlife

Christina Record McVie
Board President
Desert Watch

Mha Atma S Khalsa
Director
Earth Action Network

Buck Parker
Executive Director
Earthjustice

Brock Evans
President
Endangered Species Coalition

Michael J. Bean
Chairman, Wildlife Program
Environmental Defense

Cameron Benson
Executive Director
Environmental Defense Center

Brent Blackwelder
President
Friends of the Earth

L. M. Purnell
Executive Director
The Friends of Herring Creek

John Horning
Executive Director
Forest Guardians

Jennifer Nalbone
Campaign Director
Great Lakes United

Jarid Manos
Executive Director
Great Plains Restoration Council

Cynthia Sarthou
Executive Director
Gulf Restoration Network

Robert J. Stack, Ph.D.
Executive Director
Jumping Frog Research Institute

Lori Fisher
Executive Director
Lake Champlain Committee

Karen Etter Hale
Executive Secretary
Madison Audubon Society

Sally Stockwell
Director of Conservation
Maine Audubon

Alice Eastman
Maryland Wildlands Committee

John Flicker
President
National Audubon Society

Emily B. Roberson, Ph.D.
Director
Native Plant Conservation Campaign

Keli Van Norman
President
Native Plant Society of Oregon

Philip Clapp
President
National Environmental Trust

Larry Schweiger
President and Chief Executive Officer
National Wildlife Federation

Frances Beinecke
Executive Director
Natural Resources Defense Council

Eric Stiles
Vice President for Conservation and
Stewardship
New Jersey Audubon Society

Bruce Carpenter
Executive Director
New York Rivers United

Tim McKay
Executive Director
Northcoast Environmental Center

Carol Duffner
Secretary
Northwest Development for Responsible
Development

Roger Rufe
President
The Ocean Conservancy

Andrew F. Sharpless
Chief Executive Officer
Oceana

Vivian Stockman
Project Coordinator
Ohio Valley Environmental Coalition

Bill Marlett
Executive Director
Oregon Natural Desert Association

Regna Merrit
Executive Director
Oregon Natural Resources Council

Steve Shimek
Executive Director
The Otter Project

David Gaillard
Director
Predator Conservation Alliance

Jenny Holmes
Moderator
Presbyterians for Restoring Creation

Noel Rowe
Primate Conservation Inc

Nancy Williams
President
P.L.A.N (Project Land and Neighborhoods)

Martha Marks
President
REP America (Republicans for Environmental
Protection)

Victoria Arthur
President
Rogue Valley Audubon Society

Pat Ford
Executive Director
Save Our Wild Salmon

Mark Buckley
Executive Director
Seattle Audubon

Carl Pope
Executive Director
Sierra Club

Kimberly Riggs
Executive Director
Sinapu

Matt Skroch
Executive Director
Sky Island Alliance

Cathy Liss
Legislative Director
Society for Animal Protection Legislation

Susan Kaplan
Chair
Southern Arizona Coalition on the Environment
and Jewish Life

Gwen Brewer
President
Southern Maryland Audubon Society

Monique DiGiorgio
Executive Director
Southern Rockies Ecosystem Project

Justin Schmidt, Ph.D.
President and Chief Scientist
Southwestern Biological Institute

Gene Karpinski
Executive Director
U.S. Public Interest Research Group

Kevin Knobloch
President
Union of Concerned Scientists

Catherine Rich
Executive Director
The Urban Wildlands Group

Denise Poole
President
West Virginia Environmental Council

Buffalo Bruce
Board Chair
Western Nebraska Resources Council

Jim Martin
Executive Director
Western Resource Advocates

Dan Imhoff
President
Wild Farm Alliance

Allison Jones
Conservation Biologist
The Wild Utah Project

William H. Meadows
President
The Wilderness Society

Kim Vacariu
Southwest Director
Wildlands Project

Scott Hoffman Black
Executive Director
The Xerces Society for Invertebrate
Conservation

